

# Staff Summary Report



Council Meeting Date: 05/20/2010

Agenda Item Number: \_\_\_\_\_

**SUBJECT:** This is an introduction and first public hearing to adopt an ordinance granting a 3.26 foot wide irrigation easement to the United States of America (Department of the Interior Bureau of Reclamation). Said easement to extend generally from 3rd Street and Ash Avenue to 3rd Street and Mill Avenue. The second public hearing is scheduled for June 10, 2010.

**DOCUMENT NAME:** 20100520PWWS03 UTILITY EASEMENT GRANTED (0904-02) Ordinance No. 2010.14

**COMMENTS:** This easement was previously granted to Salt River Project in 2005 by Ordinance No. 2005.68 in conjunction with the Light Rail Project. Through this action and the provision of Quit Claim Deeds from the USA to the City of Tempe and other named parties any Federal interest in the Hayden, McKinley – Kirkland Canal in this area will be extinguished.

**PREPARED BY:** Wendy Springborn, Engineering Services Administrator (x 8250)

**REVIEWED BY:** Andy Goh, Deputy PW Director/City Engineer (x 8896)

**APPROVED BY:** John Osgood, Acting Public Works Director (x 8949)

**LEGAL REVIEW BY:** Cynthia McCoy, Assistant City Attorney (x 2187)

**FISCAL NOTE:** N/A

**RECOMMENDATION:** Adopt Ordinance No. 2010.14 and authorize the Mayor to execute any necessary documents.

**ADDITIONAL INFO:** Due to the construction of the Light Rail Project the irrigation easement that allowed the operation and maintenance (by Salt River Project) of a portion of their water distribution system had to be relocated. This easement gives BOR the property rights which allows SRP the access for maintenance and operation under their agreement with the BOR on a portion of City-owned property replacing what was known as the Hayden, McKinley-Kirkland Canal.